

389922



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 5.874 DIV I.

Anticipated Classification of  
this application:

Class 435 Subclass 172

Prior Application:

Examiner A.E. Tannenholtz

Art Unit 172

The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

This is a request for filing a |   | continuation  
| X | divisional application, under 37 CFR 1.60, of pending  
prior application Serial No. 201,359 filed on  
October 27, 1980 of HARUO SUGANO, et al.  
(date) (Inventor(s) currently of record in  
prior application) for NOVEL DNA AND RECOMBINANT PLASMID  
(title of invention)

1. |   | Enclosed is a copy of the prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No.                  as originally filed on                  (date), and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
2. | X | Prepare a copy of the prior application.
3. | X | The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS  
CANCELLED BY AMENDMENT BELOW

For	Number filed	Number extra	Rate	Fee
Total claims	<u>26</u>	- 10 = <u>16</u>	x \$ 2	\$32.00
Independent claims	<u>9</u>	- 1 = <u>8</u>	x \$10	\$80.00
Basic fee (minimum amount required)				<u>\$65</u>
Total filing fee				<u>\$177.00</u>

4.  The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-1205. A duplicate copy of this sheet is enclosed.

5.  A check in the amount of \$177.00 is enclosed.

6.  Cancel in this application original claims 1 through 5 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7.  Amend the specification by inserting before the first line the sentence: --This is a  continuation,  division of application Serial No. 201,359, filed October 27, 1980

8a.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8b.  New  formal  informal drawings are enclosed.

9a.  Priority of the following application(s) is (are) claimed under 35 U.S.C. §119:

<u>Country</u>	<u>Application No.</u>	<u>Filed (Mo., Day &amp; Yr.)</u>
Japan	139289/79	October 30, 1979
Japan	33931/80	March 19, 1980

9b.  The certified copy of the priority application(s) has been filed in prior U.S. Application Serial No. 201,359, filed October 27, 1980.

10.  The prior application is assigned of record to \_\_\_\_\_.

11.  The power of attorney in the prior application is to: Joseph M. Fitzpatrick (Reg. No. 17,398), John Thomas Cella (Reg. No. 17,356), Lawrence F. Scinto (Reg. No. 18,973), Carroll G. Harper (Reg. No. 18,473), William J. Brunet (Reg. No. 20,452), Robert L. Baechtold (Reg. No. 20,860), John A. O'Brien (Reg. No. 24,367), Nels T. Lippert (Reg. No. 25,888), John A. Krause (Reg. No. 24,613), Peter Saxon (Reg. No. 24,947), Henry J. Renk (Reg. No. 25,499), Anthony M. Zupcic (Reg. No. 27,276), Charles P. Baker (Reg. No. 26,702), Edward E. Vassallo (Reg. No. 29,117), Warren L. Franz (Reg. No. 28,716) and Frederick J. Dorchak (Reg. No. 29,298)

12a.  The power appears in the original papers in prior application Serial No. 201,359.

12b.  Since the power does not appear in the original papers, a copy of the power in prior application Serial No. \_\_\_\_\_ is enclosed.

12c.  Recognize as Associate Attorneys:

12d.  Address all future communications to:

Fitzpatrick, Cella, Harper & Scinto  
277 Park Avenue  
New York, New York 10172

13a.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim.)

13b.  A preliminary amendment will be filed upon receipt of the official filing receipt.

Dated: June 18, 1982

  
(Reg. No. 25,888 )  
Attorney of Record  
277 Park Avenue  
New York, New York 10172  
(212) 758-2400

0024N



110-00-102  
389922  
11/09/82  
Officel Coprta  
11/8/82

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 5.874 DIV I.

Anticipated Classification of  
this application:

Class 435 Subclass 172

Prior Application:

Examiner A.E. Tannenholtz

Art Unit 172

The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

This is a request for filing a  continuation  
 divisional application, under 37 CFR 1.60, of pending  
prior application Serial No. 201,359 filed on  
October 27, 1980 of HARUO SUGANO, et al.  
(date) (Inventor(s) currently of record in  
prior application) for NOVEL DNA AND RECOMBINANT PLASMID  
(title of invention)

1.  Enclosed is a copy of the prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. as originally filed on (date), and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2.  Prepare a copy of the prior application.

06/22/82 389922 3.101 65.00CK

3.  The filing fee is calculated below:

B2038 11/04/82 3B9922 102 112.00CK  
06-1205 1 604 78.00CR

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS  
CANCELLED BY AMENDMENT BELOW

For	Number filed	Number extra	Rate	Fee
Total claims	<u>26</u>	- <u>10</u> = <u>16</u>	x \$ 2	\$32.00
Independent claims	<u>9</u>	- <u>1</u> = <u>8</u>	x \$10	\$80.00
Basic fee (minimum amount required)				<u>\$65</u>
Total filing fee				<u>\$177.00</u>

4.  The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-1205. A duplicate copy of this sheet is enclosed.

5.  A check in the amount of \$177.00 is enclosed.

6.  Cancel in this application original claims 1 through 5 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7.  Amend the specification by inserting before the first line the sentence: - This is a [ ] continuation, [ ] division of application Serial No. 201,359, filed October 27, 1980

8a.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8b.  New  formal  informal drawings are enclosed.

9a.  Priority of the following application(s) is (are) claimed under 35 U.S.C. §119:

<u>Country</u>	<u>Application No.</u>	<u>Filed (Mo., Day &amp; Yr.)</u>
Japan	139289/79	October 30, 1979
Japan	33931/80	March 19, 1980

9b.  The certified copy of the priority application(s) has been filed in prior U.S. Application Serial No. 201,359, filed October 27, 1980.

10.  The prior application is assigned of record to \_\_\_\_\_.

11.  The power of attorney in the prior application is to: Joseph M. Fitzpatrick (Reg. No. 17,398), John Thomas Cella (Reg. No. 17,356), Lawrence F. Scinto (Reg. No. 18,973), Carroll G. Harper (Reg. No. 18,473), William J. Brunet (Reg. No. 20,452), Robert L. Baechtold (Reg. No. 20,860), John A. O'Brien (Reg. No. 24,367), Nels T. Lippert (Reg. No. 25,888), John A. Krause (Reg. No. 24,613), Peter Saxon (Reg. No. 24,947), Henry J. Renk (Reg. No. 25,499), Anthony M. Zupcic (Reg. No. 27,276), Charles P. Baker (Reg. No. 26,702), Edward E. Vassallo (Reg. No. 29,117), Warren L. Franz (Reg. No. 28,716) and Frederick J. Dorchak (Reg. No. 29,298).  
303  
308

12a.  The power appears in the original papers in prior application Serial No. 201,359.

12b.  Since the power does not appear in the original papers, a copy of the power in prior application Serial No. \_\_\_\_\_ is enclosed.

12c.  Recognize as Associate Attorneys:

12d.  Address all future communications to:

*691*  
*602*  
*701* Fitzpatrick, Cella, Harper & Scinto  
277 Park Avenue  
New York, New York 10172

13a.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim.)

13b.  A preliminary amendment will be filed upon receipt of the official filing receipt.

Dated: June 18, 1982

*Jess Thigpen*  
(Reg. No. 25,888)  
Attorney of Record  
277 Park Avenue  
New York, New York 10172  
(212) 758-2400

0024N